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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,701	03/30/2001	Kenneth W. Aull	15-0225	7427

7590

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EXAMINER

SCHUBERT, KEVIN R

ART UNIT PAPER NUMBER

2137

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,701

Applicant(s)

AULL, KENNETH W.

Examiner

Kevin Schubert

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-16 have been reconsidered. Having fully and carefully considered the applicant's remarks in the Appeal Brief filed 8/5/05, the examiner has re-opened with new art and made this action non-final accordingly.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15

Claims 1-2 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi, U.S. Patent No. 5,878,138, in view of Texas DPS (Texas Department of Public Safety. Frequently Asked Questions. October 12, 1999. pages 1-4. Retrieved from the Internet at the following URL:
http://web.archive.org/web/20000303141313/www.txdps.state.tx.us/administration/driver_licensing_control/faq.htm).

20

As per claims 1 and 9, the applicant describes a method of preventing ID spoofing of public key infrastructure system in an enterprise comprising the following limitations which are met by Yacobi in view of Texas DPS:

25

a) allowing a user to access a registration server (Yacobi: Col 8, line 50 to Col 9, line 23);

b) upon the registration server receiving identification information from the user and also receiving a request by the user for a new signature certificate, the registration server querying a directory containing reference information of users of the enterprise to obtain information regarding the identified user (Yacobi: Col 8, line 50 to Col 9, line 23);

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c) and upon the registration server receiving information from the directory indicating that the identified user already possesses a signature certificate, the registration server informing the user that a new signature certificate will not be issued until the old signature certificate has been revoked, thereby preventing an unauthorized user from ID spoofing to obtain a valid signature certificate (Yacobi: Col 8, line 50 to Col 9, line 23; Texas DPS: page 1);

d) and maintaining a one-to-one correspondence between users of the enterprise and signature certificates (Yacobi: Col 13, lines 1-2);

Yacobi discloses all the limitations of the above claim except for the specific limitation of "informing a user that a new signature certificate will not be issued until the old signature has been revoked". In Yacobi, upon the registration server receiving information that the user who is applying for a new certificate still has a valid certificate, the registration server simply revokes the old certificate as a new certificate is formed in order to satisfy the system's requirement that each valid user has exactly one certificate at any one time (Col 13, lines 1-2).

Texas DPS discloses the idea of notifying a user of revocation of a form of identification before issuing a new form of identification. More specifically, Texas DPS discloses the well-known idea that when a user applies for a new form of identification, he is notified that the new form will not be issued until the old form is revoked as he is required by an authority to surrender his valid or expired Driver's License before he receives his new form of identification. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Texas DPS with those of Yacobi and "inform" the user of the surrender so the user is aware of the process taking place.

As per claims 2 and 10, the applicant limits the method of claims 1 and 9, which are met by Yacobi in view of Texas DPS, with the following limitation which is met by Yacobi:

Further comprising providing user identifiers and their corresponding digital signature certificates in said directory (Yacobi: Col 9, lines 10-16)

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Claims 5-6 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi in view of Vaeth, U.S. Patent No. 6,308,277.

As per claims 5 and 13, the applicant describes a method of preventing ID spoofing of a public key infrastructure in an enterprise comprising the following limitations which are met by Yacobi in view of Vaeth:

a) allowing a user to access a registration server (Yacobi: Col 8, line 50 to Col 9, line 23);

b) upon the registration server receiving identification information from the user and also receiving a request by the user for a new signature certificate, the registration server querying a directory containing reference information of users of the enterprise to obtain information regarding the identified user (Yacobi: Col 8, line 50 to Col 9, line 23);

c) and upon the registration server receiving information from the directory indicating that the identified user is not in the directory, the registration server informing the user that a signature certificate will not be issued, thereby preventing an unauthorized user from ID spoofing to obtain a valid signature certificate (Vaeth: Col 8, lines 41-54);

d) and maintaining a one-to-one correspondence between users of the enterprise and signature certificates (Col 13, lines 1-2);

Yacobi discloses all the limitations of the above claim. Yacobi does not specifically disclose informing a user that a certificate will not be issued. The idea of informing a user that a certificate will not be issued is disclosed by Vaeth. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Vaeth with those of Yacobi because notifying a user that a certificate will not be issued informs the user of an authentication error and gives the user the opportunity to take appropriate action.

As per claims 6 and 14, the applicant limits the method of claims 5 and 13, which are met by Yacobi in view of Vaeth, with the following limitation which is also met by Yacobi:

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Further comprising providing user identifiers and their corresponding digital signature certificates in said directory (Yacobi: Col 9, lines 10-16)

Claim 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi in view of Texas DPS in further view of Zhou (Zhou, Tao. "Directory Integration and the Metadirectory". July 1999. Windows IT Pro).

As per claims 3 and 11, the applicant limits independent claims 1 and 9, which are met by Yacobi in view of Texas DPS, with the following limitation which is met by Zhou:

further comprising providing an authoritative database including user identifiers, wherein the directory is updated from the authoritative database (Zhou: pages 1-2).

However, Yacobi fails to disclose the use of an authoritative database. Zhou discloses the benefit of using directory integration with an authoritative database of user identifiers which he calls a metadirectory. In the second paragraph Zhou writes, "Directory integration lets network administrators manage directory information from one directory and automate the process of changing information in multiple directories. In the short run, directory integration lowers the cost of directory management because it reduces human involvement in directory management. A comprehensive directory-integration system often requires an enterprise directory to store and unify directory information in a central repository, or metadirectory. In the long run, you can incorporate into a metadirectory new network services—for example, ... public key infrastructure (PKI), to manage digital certificates for e-commerce".

An authoritative database including user identifiers would be an obvious improvement in Yacobi's system because it would allow one centrally managed database to update various bank sites. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Zhou with the ideas of Yacobi because one would have motivation to use an authoritative database to better manage digital certificates as Zhou discloses.

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Claim 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi in view of Vaeth in further view of Zhou (Zhou, Tao. "Directory Integration and the Metadirectory". July 1999. Windows IT Pro).

5 As per claims 7 and 15, the claims are rejected for the same reasons as given in the rejection of claims 3 and 11.

Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi in view of Texas DPS in further view of Fischer, U.S. Patent No. 5,214,702.

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As per claims 4 and 12, the applicant limits the method of claim 1 and 9, which are met by Yacobi in view of Texas DPS, with the following limitation which is met by Fischer:

Further comprising providing a personal revocation authority to revoke a user's previous signature certificate, the personal revocation authority being chosen so as to personally recognize a user
15 (Col 13, lines 46-47);

Yacobi discloses all the limitations of independent claims 1,5,9, and 13. However, Yacobi fails to disclose a person who is a revocation authority in charge of personally recognizing users.

Fischer discloses the idea that a "certifier may empower another person to cancel other certificates which the certifier has produced" (Col 13, lines 46-47). Fischer discloses the idea that a
20 person, not a computer, can revoke certificates which is absent from Yacobi. Since a person is the revocation authority, he can personally recognize a user.

It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Fischer with those of Yacobi and incorporate the idea of a personal revocation authority to add another element of security into Yacobi's system through personally being able to identify
25 users to prevent ID spoofing.

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Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi in view of Vaeth in further view of Fischer, U.S. Patent No. 5,214,702.

As per claims 8 and 16, the claims are rejected for the same reasons as given in the rejection of claims 4 and 12.

Response to Arguments

Applicant's arguments with respect to claims 1 and 9 have been considered but are moot in view of the new ground(s) of rejection.

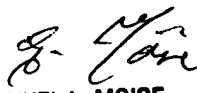
Applicant's arguments with respect to claims 5 and 13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

This action is made non-final. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Schubert whose telephone number is (571) 272-4239. The examiner can normally be reached on M-F 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MANUEL L. MOISE
ADVISORY PATENT EXAMINER